



23RD NAVAJO NATION COUNCIL OFFICE OF THE SPEAKER

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Navajo Nation Council votes down the Grand Canyon Escalade Project bill

WINDOW ROCK – During a special session held on Tuesday, the Navajo Nation Council voted 2-16 to oppose Legislation No. 0293-16, which sought the Navajo Nation’s approval of a master agreement for the development of the Grand Canyon Escalade Project, and funding in the amount of \$65 million for the development of infrastructure for the project site.

The bill also sought to authorize the Navajo Nation Hospitality Enterprise to enter into a development and operating agreement, accepting the approval of the withdrawal of 420-acres of land in the Bodaway/Gap Chapter, and approving a covenant not to compete.

Representatives from the Confluence Partners, L.L.C. joined legislation sponsor Council Delegate Benjamin L. Bennett (Crystal, Fort Defiance, Red Lake, Sawmill) in presenting the legislation to the Council on Tuesday.

Delegate Bennett said the project would contribute to the Nation’s annual revenues, which is greatly needed particularly at a time when the future of the Navajo Generating Station is not certain beyond 2019. Albert Hale, a partner with the Confluence Partners, L.L.C., stated that the project had the potential to create thousands of jobs and millions of dollars in annual revenue for the Navajo Nation.

Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) began his remarks by stating that the proposed legislation was unacceptable for the Navajo Nation and further described it as “absolutely totally one-sided.”

He proposed an amendment that removed language in the legislation that called for the Confluence Partners to receive a non-revocable license to operate the project and changed it to a revocable license, to delete language that called for a covenant to not compete with businesses located at the site, to remove a provision that stated that all revenues received by the Hospitality Enterprise from the project not be subject to Navajo Nation taxes, and to include language that changed the \$65 million request to the form of a loan.

Prior to voting on the amendment, Council Delegate Seth Damon (Bááháálí, Chichiltah, Manuelito, Tsé Lichíí, Rock Springs, Tsayatoh) said he strongly supports economic development proposals that benefit the Navajo Nation, especially within the Western Navajo Agency, however he questioned several provisions in the legislation.

“I would support this if it was more constructive and knowing the Navajo Nation is not being ripped off,” stated Delegate Damon.

Following a lengthy discussion, Council members approved the amendment by a vote of 16-1.

The Council also approved an amendment proposed by Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) that called for the Confluence Partners to fund \$3.5 million for the design and construction of a multi-purpose community center for the Bodaway/Gap Chapter.

He added that when the Budget and Finance Committee met in the community of Bodaway/Gap to consider the legislation, they agreed that there is a need to help with economic development in the community and that the community center would benefit local community members.

Following approximately two hours of debate, the Navajo Nation Council voted down Legislation No. 0293-16, with a vote of two supporting and 16 opposing. The Council serves as the final authority for the bill, which required simple majority approval after the Naabik’íyáti’ Committee amended the legislation in July to remove certain waivers of Navajo Nation laws that were contained in the original bill.

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